

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH J. HESKETH III.

CASE NO. C20-1733JLR

Plaintiff,

ORDER

V.

TOTAL RENAL CARE, INC.,

Defendant.

15 On August 16, 2021, the court granted in part Defendant Total Renal Care, Inc.’s
16 (“TRC”) second motion for judgment on the pleadings, leaving only Plaintiff Joseph J.
17 Hesketh III’s breach of the implied duty of good faith and fair dealing claim. (8/16/21
18 Order (Dkt. # 84) at 24-25.) The court additionally struck Mr. Hesketh’s pending class
19 certification motions and ordered the parties to meet and confer on “what next steps, if
20 any, should be taken.” (*Id.* at 24.) The parties have met and conferred and filed a joint
21 statement proposing a briefing schedule for TRC’s anticipated motion for summary

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1 judgment and staying both the class certification deadline and any additional discovery
2 pending the outcome of that motion. (Statement (Dkt. # 85) at 1-2.)

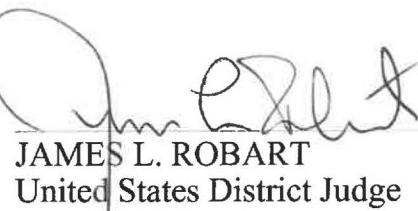
3 The court adopts the schedule as laid out in the parties' joint statement. (*See id.* at

4 2.) Specifically, the court ORDERS that:

- 5 - TRC's motion for summary judgment must be filed no earlier than September
6 9, 2021, and no later than September 30, 2021. The motion shall be noted in
7 accordance with Local Rule 7(d)(3);
- 8 - All discovery is stayed pending the resolution of TRC's motion for summary
9 judgment;
- 10 - Mr. Hesketh shall not file any renewed motion(s) for class certification until
11 the court issues a ruling on TRC's motion for summary judgment; and
- 12 - If TRC's motion for summary judgment is denied, Mr. Hesketh shall file any
13 renewed motion(s) for class certification no later than 60 calendar days after
14 the date of the court's order on summary judgment.

15 (*Id.*)

16 Dated this 24th day of August, 2021.

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18 JAMES L. ROBART
United States District Judge
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